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MEMORIAL ADDRESSES

IN THE ASSEMBLY CHAMBER

OF

ALFRED M. LAY

DECEMBER 11TH 1879.

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UNITED STATES OF AMERICA.

MEMORIAL ADDRESSES

ON THE

LIFE AND CHARACTER

OF

ALFRED MORRISON LAY,

(A REPRESENTATIVE FROM MISSOURI,)

DELIVERED IN THE

HOUSE OF REPRESENTATIVES AND IN THE SENATE,
FORTY-SIXTH CONGRESS, SECOND SESSION.

PUBLISHED BY ORDER OF CONGRESS.

WASHINGTON:
GOVERNMENT PRINTING OFFICE.
1881.

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CONCURRENT RESOLUTION.

Be it resolved by the House of Representatives (*the Senate concurring therein*), That two thousand copies in book form, suitably bound, of the memorial addresses on the life and character of Hon. ALFRED M. LAY, late a member of the House of Representatives, be printed; five hundred for the use of the Senate and fifteen hundred for the use of the House of Representatives.

Passed the House of Representatives April 1, 1880.
(Attest:)

GEO. M. ADAMS, *Clerk.*

Passed the Senate April 9, 1880.
(Attest:)

JNO. C. BURCH, *Secretary.*

ADDRESSES

ON THE

DEATH OF ALFRED MORRISON LAY.

PROCEEDINGS IN THE HOUSE.

DECEMBER 8, 1879.

Mr. CLARK, of Missouri. Mr. Speaker: It is my painful duty to announce to the Congress of the United States that my colleague, Mr. A. M. LAY, died this morning at the National Hotel, in this city.

It is not my purpose at this time to speak, as the love I bore my late colleague would prompt me to do. At some future time I will invite the House to consider some resolutions in that regard. I now move the adoption of the resolutions I send to the Clerk's desk.

The Clerk read as follows:

Resolved, That the House has heard with sincere regret the announcement of the death of Hon. ALFRED M. LAY, late a Representative from the State of Missouri.

Resolved by the House of Representatives (*the Senate concurring*), That a special joint committee of seven Members and three Senators be appointed to take order for superintending the funeral and to escort the remains of the deceased to his late residence in Missouri, and all necessary expenses attending the execution of this order shall be paid out of the contingent fund of the House.

Resolved, That the Clerk communicate the foregoing resolutions to the Senate.

Resolved, That as a mark of respect to the memory of the deceased, this House do now adjourn.

The resolutions were adopted unanimously.

The SPEAKER announced the following as the committee on the part of the House under the second resolution above stated: JOHN B. CLARK, Jr., Missouri; WILLIAM A. J. SPARKS, Illinois; W. D. HILL, Ohio; EDWARD OVERTON, Jr., Pennsylvania; J. R. CHALMERS, Mississippi; G. L. FORT, Illinois; and R. G. FROST, Missouri.

And then, in pursuance of the foregoing resolutions, the House adjourned.

DECEMBER 9, 1879.

A message from the Senate, by Mr. BURCH, its Secretary, announced that the Senate had agreed to the resolution of the House of Representatives for the appointment of a special joint committee to take order for superintending the funeral of Hon. ALFRED M. LAY, late a Representative from the State of Missouri, and to escort the remains of the deceased to his late residence in said State, and had appointed as the committee on the part of the Senate Mr. VEST of Missouri, Mr. WALKER of Arkansas, and Mr. KIRKWOOD of Iowa.

The SPEAKER. The Chair desires to announce that the funeral services of the late member from Missouri, Mr. A. M. LAY, will take place this evening at 7.30 o'clock, at the National Hotel, in this city. The members of the House are invited to attend.

JANUARY 27, 1880.

Mr. PHILIPS, by unanimous consent, submitted the following resolution; which was read, considered, and agreed to:

Resolved, That the special order for Monday, February 23, at half past one o'clock, shall be the presentation of suitable resolutions on

the death of Hon. A. M. Lay, late member of the Forty-sixth Congress, and the expression by the members of the esteem in which his memory is held.

FEBRUARY 23, 1880.

The SPEAKER. The hour of half past one o'clock having arrived, the Clerk will read the resolution of the House fixing the order of proceeding for that hour to-day:

The Clerk read as follows:

Resolved, That the special order for Monday, February 23, at half past one o'clock, shall be the presentation of suitable resolutions on the death of Hon. A. M. Lay, late member of the Forty-sixth Congress, and the expression by the members of the esteem in which his memory is held.

ADDRESS OF MR. PHILIPS, OF MISSOURI.

Mr. SPEAKER: Even if no memorial occasion were present with its swelling tide of reflections, I would have been reminded on my return to this House, after a brief absence, that death had been busy here. I miss some well-remembered faces that on a yesterday all but were flushed with health and beaming with the pride of intellect. They have gone

The way to dusty death.

Broad as is that way, how it has been thronged in these latter years with Presidents, Senators, and Representatives.

As I come to-day to offer this tribute of respect upon the new-made grave of my lamented predecessor, a troop of recollections, sad and pleasing, pass in review before me. The innocence of childhood, the buoyancy of youth, the panting ambition of manhood, the charm and rapture of true love that made a heaven of his

domestic life, the conflicts, defeats, and triumphs of the forum and the hustings, all pass before my view, and I see how well he lived and how untimely he died.

Alfred Morrison Lay was born May the 20th, A. D. 1836, in Lewis County, Missouri, and died in this city on the 8th day of December, A. D. 1879. He came of a parentage that belonged to the rugged, bold class of pioneers who, with no fortune but a stout heart, and without patrimony or heraldry, crossed to the western bank of the Mississippi and drove back the savage and subdued the wilderness to make way for that splendid civilization which to-day points out Missouri among the constellation of States as the fifth in the American Union.

In 1842 he removed with his parents to Benton County, Missouri, and there drank the inspiration of his political tenets from the great Senator whose name this county bears. He graduated from Bethany College, Virginia, in 1856.

Selecting the law for his profession, he was admitted to the bar in 1857, and located at Jefferson City, the capital of the State. With such assiduity did he apply himself to his profession and such attainments had he made that in 1860 he was appointed United States district attorney for the western district of Missouri.

It was in the performance of the duties of this office that I first met him professionally and learned something of his rare qualities as a lawyer. This office he resigned in 1861. Yielding to what he and others in Missouri then believed to be a duty of obedience to the call of the governor of the State, he enlisted in the State Guards; and in the gathering storm of war then settling over the border line separating the slaveholding from the non-slaveholding States he was soon swept into the ranks of the Confederate army. With his characteristic patience and fidelity he is represented to have served his cause as private and officer with admirable courage.

The war ending, he returned to his home, broken in fortune and

under the ban of political proscription. He had, however, that proud legacy left, his personal honor and pride, and through the clouds of misfortune there shone the light of the glad smile of her who waited his coming, to bid him look now toward the high summit of glory in the ascending path of his profession. Accepting with philosophic resignation the fate of war, he bent his energies anew to the study and practice of the law and soon found his way to the front at a bar eminent for its talent. He may not have possessed the charm of popular oratory or that vehemence of temper that leads into mere declamation, but his logic was clear and forceful, and his analysis was often complete. He knew the law and he knew men. These made him formidable before the judge on the bench and the jury in the box. Possessed of that innate kindness of heart and keen sense of the right which impart to human nature its fascination and nobility, he seldom gave offense, and drew to him troops of friends. His rank as a lawyer and personal popularity designated him as one most fit to aid his State in the reconstruction of its organic law. Accordingly he was elected a member of the constitutional convention of 1875, and the present constitution of the State, whatever be its merits, is in part the product of his labor and thought.

But not these, Mr. Speaker, were the goal of his ambition. He plumed his feathers and fixed his eye for another perch. His aim was to sit as a popular Representative in this hall. This he never disguised. It was the temple upon whose turret his eye was fastened from childhood. To him it was not the vain delusion that haunts the steps of vagrant youth. It was not a dizzy path, to be trodden only by the favorites of fortune. Nor was it that ambition called "the last infirmity of noble minds," nor the consciousness of any extraordinary destiny in store for the child of genius. But it was the salient point of attainment of a resolute man self-poised and impelled by an honorable purpose.

How he fought and yielded not until he won his object is the highest evidence of his indomitable nature, and the best incentive his life has left on record to every American youth in whose breast there burn the fires of laudable ambition.

Three successive canvasses he made for this office. Defeat, that would have crushed with disappointment or stung to sullen despair the pride of ordinary men, only roused the lion in him and set him furious for a renewal of the combat.

It was in the pursuit of the honors of a seat in this Hall that his health received its death-shock. The friction and tension of the struggle were too great for a delicate, nervous organism like his.

It was my fortune to be with him at his appointment in October, 1878, when he was first stricken with paralysis. That morning he was unusually buoyant in spirit. In the midst of his address, glowing with the fervor of his cause, a paralytic stroke, like electricity, shot through his frame, benumbing his left side and completely prostrating him. Impressed as he was with the belief that his hour had come, his self-possession was marked and his courage was splendid. But that which then shone out like quickening fire in his character, and sheds a halo of glory around the man and makes his memory most fragrant to me, was the abounding love he exhibited for wife and children.

The complications of varied business affairs, the honors and glories of the world, had little place then in his mind. The glamour of all these faded into nothingness in the one yearning, burning desire that lighted his soul like "the lambent purity of the stars," for the presence of her who had loved, trusted, and cheered him in poverty as in riches, in shadow as in sunshine. Only if he could but fold her and the precious fruit of their wedded life to his bosom once more, he was ready to descend, as calm and intrepid as the grand marshal of Saxony, to his untimely grave. What a bright and beautiful page this is in the history of this man! It is as to all that might

be writ or wrought on this national theater as the diamond to the ruby.

From this first attack Mr. LAY rallied but never recovered. Anxious to justify public expectation and to serve his party in its critical conjuncture, he came here and took his seat, only to realize in part the dream and desire of his life; for here he died in the shadow of the Capitol and in the arms of his wife.

You, his fellow-members, were not permitted to test the quality of his mind, nor to feel the mesmerism of his social nature. Nor was the country allowed to know what he might have done for it.

I know he would have done his duty faithfully and well. Eminently practical and conservative he had no visionary notions or a single atom of fanaticism in his political creed. He would have proven equally exempt from that rash spirit of empiricism which would tear to pieces the existing frame of society in quest of mere abstractions, and that coward spirit which would temporize with a palpable evil in government until it spread like a cancer over the body politic, rather than put the knife to its root.

Conspicuous among his cluster of virtues were his candor and frankness. He was a close friend and an open enemy. As odor to the flower and azure to the sky, was truth to him. As gentle as a woman in repose, he was as stalwart as a grenadier in action. Nothing he sought for or won had the canker of lust or the breath of poison upon it. Faults and imperfections he had, for he was human. But he so lived and died as to little need the seal of the sepulcher to exclude "from its slumbering tenant the breath of envy" or reproach. He sleeps his last sleep at the seat of government of his native State, in sight of his consecrated home. As the dew of heaven, morning and evening, keeps redolent the flower, so the fond recollection of the multitudes who knew him, and the matin prayer and vesper hymn of the widowed heart, will not let his good name fade away.

Death has its conquest and the grave its gloom, but there is a victory over both.

> All human bodies yield to Death's decree.
> The soul survives to all eternity.

Mr. Speaker, I offer the resolutions which I send to the desk.

The Clerk read as follows:

Resolved, That this House has heard with profound regret of the death of Hon. ALFRED M. LAY, late a member of this House from the State of Missouri.

Resolved, That, as a testimonial of respect to his memory, the officers and members of this body will wear the usual badge of mourning for the space of thirty days.

Resolved, That a copy of these resolutions be transmitted by the Clerk of this House to the family of the deceased.

Resolved, That the Clerk be directed to communicate a copy of these proceedings to the Senate, and that, as a further mark of respect to the memory of the deceased, the House do now adjourn.

ADDRESS OF MR. KNOTT, OF KENTUCKY.

One of the most pleasing characteristics of humanity is the universal disposition among men to honor their dead, to perpetuate the memory of their virtues while kindly covering their frailties with the beauteous mantle of charity. It is one of the remnants of a celestial nature left to a fallen race, and belongs to all classes and conditions of mankind. It is voiced alike in the funeral chant of the untutored savage and the wailing requiem that swells with its flood of mournful melodies the obsequies of the great. It is seen in the rude stone that marks the last resting-place of the toil-worn peasant and in the marble pomp that hides the moldering dust of departed grandeur.

In obedience to this generous impulse, as honorable to our nature as it is natural to the human heart, we have again paused in the midst of our labors here to testify our appreciation of the virtues illustrated in the life and character of one whom the "silent reaper" has taken from among us, and I ask the melancholy privilege of seconding the resolutions offered by the distinguished gentleman who has been chosen to succeed him upon the new theater of usefulness and honor he barely entered when summoned to a sphere beyond the dark waters of death.

There is no one on this floor, indeed, upon whom that mournful duty could be more appropriately devolved. My acquaintance with Mr. LAY commenced more than twenty years ago, and was rendered by the peculiar circumstances surrounding us more than ordinarily intimate and pleasant. He had but recently been graduated from Bethany College, Virginia, and prepared for the bar by a course of study in the office and under the tutelage of Hon. Ephraim B. Ewing, then attorney-general for Missouri, and was just entering the arena of active manhood, with every promise of the successful professional career he subsequently achieved. He was shortly afterward appointed to the office of United States district attorney for the western district of Missouri, which he filled with marked ability and distinction for one so young until 1861, when he resigned.

Soon after I had the pleasure of forming his acquaintance he led to the marriage altar the object and idol of his youthful love, one of the most beautiful and accomplished daughters of his native Commonwealth, a lady whose charms of person and brilliancy of intellect were equaled only by her own amiability of disposition and nobility of soul, and who, as a wife, proved herself the choicest blessing God ever vouchsafed to man. In hope she was ever his bright incentive, in the hour of triumph she was his joy, in prosperity his pride, in adversity his solace, in pain and anguish his support, in all, his constant companion, his guardian angel, his heaven-sent friend.

"The beauteous vine which had twined itself so tenderly about the stalwart young oak, its ornament in the bright sunshine of joy, still clung with its loving tendrils to the shattered fragments when the stately tree was riven by the tempests of misfortune." When first I met them hand in hand, with their young hearts elate with joy and hope, they were radiant with the approving smiles of angels looking down upon them. When I saw them last, the still loving wife was bending in anguish over the cold, pale form of the husband to whom she had devoted her love and her life.

Intimately associated with Mr. LAY as I was, I enjoyed the amplest opportunities for becoming acquainted with the more prominent of his intellectual qualities as well as with the principles upon which his character was formed. His mind was at once acute and comprehensive, inclining more to solidity and usefulness than to mere brilliancy and ornament. His methods of thought were careful and painstaking, and his conclusions accurate and reliable. Never ostentatious or self-suggestive in asserting his opinions, his convictions were unusually strong, and never abandoned unless his judgmentwas clearly convinced of their incorrectness. He was consequently a man of singular decision of character, acting in everything from a conscientious sense of duty. His prompt, faithful, self-sacrificing obedience to this great motor of his nature was perhaps the most distinguished trait in a character remarkable among his acquaintances from his earliest manhood. What a deliberate conviction of duty dictated to be done he attempted at every hazard or at any sacrifice of personal convenience or comfort.

His heroic fidelity to his sense of duty was most strikingly illustrated by his course on the breaking out of the late unfortunate war between the States. He acted in that fearful emergency from no rash impulse, he was influenced by none of the allurements of military glory or political aggrandizement, but proceeded to consider calmly, coolly, and dispassionately what duty demanded at his hands, and

his conclusion once attained, he closed his eyes to every other earthly consideration, to every thought of personal ease, to every aspiration of professional ambition, to the embraces of his young and beauteous wife, to the angelic smiles of his first-born babe, and all the endearments that clustered about his own happy hearth-stone, and, with his life in his hand, with sorrow, privation, toil, imprisonment, and death before him, entered the ranks of the Confederate army as a private soldier, where the same courageous devotion to duty raised him to the rank of major.

I know something of the struggle that conclusion cost him, but from the moment it was reached I never saw him again until I met him at the opening of the extra session of the present Congress, where, impelled by the same supreme motive which had controlled him through life, he had dragged his shattered and emaciated form to the post of duty. What he might have achieved under the influence of such a sublime devotion to his convictions in the new arena to which he had been chosen had he not been cut down upon the threshold can now be only a theme for pleasing speculation.

As a citizen Mr. LAY was an ornament to the community in which he lived—intelligent, public-spirited, generous, honorable, and dignified. As a soldier he was courageous and faithful. As a lawyer he was learned, able, careful, and unswerving in his fidelity to his clients. As a friend he was candid, sincere, and disinterested. As a husband and father he was gentle, tender, and affectionate; and in all the relations of life he was modest, courteous, and truthful—

Cui Pudor et Justitiæ soror,
Incorrupta Fides, nudaque veritas
Quando ullum inveniet parem?

Address of Mr. Clark, of Missouri.

Mr. Speaker: It is painful when we come to pay the last sad tribute of respect to any departed associate and friend, but how much more poignant and bitter is the sorrow when we join in the memorial services of one struck down in the very beginning of a career so full of honorable promise and usefulness to his country and of just renown to himself. In no instance is this more true than in that of our lamented friend whose death we here to-day commemorate. I knew him from his boyhood when, studious and patient, he prepared himself for admission to the bar, buoyed up with the hope that eminence some day would crown his efforts in the legal profession. When he came to practice he was faithful, painstaking, exact in the preparation of his cases for trial. And when, at the early age of twenty-four, as the reward of systematic and energetic application, President Buchanan appointed him United States district attorney for the western district of Missouri, it was deemed by his professional brethren as deserved. He discharged the duties of this position with justness, fidelity, and applause until 1861, when he resigned it. Then civil war had begun. In the execution of a duty conscientious and deliberate he took sides and with all the energy and enthusiasm of his nature went to work to organize the State Guards of Missouri for the purpose of co-operating with the forces of the Confederate States.

In this reference it is not my purpose to discuss whether Mr. Lay was right or wrong in taking the part of the South. As a fact he and his companions joined their fortunes with that side, submitting the result to the dread arbitrament of the sword, and although defeat came with all its humiliation it was nevertheless accepted in good faith, and no man was more earnest than he in consigning to forget-

fulness and deep oblivion the heart-burnings and gloomy episodes of the past. My motive is not to recall the horrors of this bloody and unfortunate page of our national history, but I cannot forget that amid these stormy scenes I first grew intimate with Mr. LAY, and learned to love him for the generous, manly, noble traits which were so characteristic of him. We stood together in many hard-fought fields of battle. We bivouacked under the same tree, often slept under the same blanket, shared the same scanty meal, endured the same hardships, were lifted up with the same hope, depressed by like disaster; we were indeed companions in arms, and when upon the same stricken field we surrendered our swords, we started together for our old homes, five hundred miles away, without money, thread-bare and sick at heart. He was tried in the furnace of war only to prove the fineness and purity of the metal of which he was made; and thus I knew him. His heart was tender as a girl's, and none wept more sincerely over the wounded and suffering foe than he did. If he were here to speak for himself it would be in honest applause of the endurance and courage of the Union soldiers. His aspect to the captive was as gentle as it was fierce and defiant to the enemy. He was the type of citizen, soldier, man which has added new wealth of honor to our national character.

When Mr. LAY at the close of the war resumed the practice of the law at his old home, he was surrounded with clients. He was trusted and admired as much by Union soldiers as by his old comrades.

His duty was a religion to him. What he believed to be right, that he did with all his force. His election to this House was considered doubtful. He put forth all his energies, mental and physical. Success came, but overwork had prostrated Mr. LAY upon a bed of sickness. From this attack he never entirely recovered. He was never able to enter upon the active discharge of the duties of his position of Representative upon this floor from the State of Missouri. If he had been spared he would have been, if not brilliant and pre-

eminent, at least faithful, honest, able. His mild demeanor and unquestioned sincerity would have won all hearts.

What he would have been in the full fruition of his developed powers we can only conjecture. Opportunity is everything for those who are tutored to high purposes and stimulated by an honest ambition to achieve success. To the unremitting toil of such men triumph comes as a matter of course. Mr. LAY cherished in his youth the fond expectation of one day sitting in the National Legislature as the Representative of his people; it strengthened with his increasing years, and when the honor so long sought came to him it turned, as it were, like Dead Sea apples, to ashes upon his lips. The world's greatest men were of the material which made up his character, and what might not his courage, lofty aim, unbroken patience, and noble resolve have accomplished? His was no vainglorious nature, swaying to the hopes and fears of demagogy, but he forgot self and gave himself up to the accomplishment of what he really believed was the highest good of his country.

He was true in all the relations of life. His sweetness and amiability were beautifully illustrated in the tender solicitude he always manifested for his wife and children. His affection for them sprang from a deep and manly heart. The last faint trembling accents ere his spirit took its flight were a prayer for their protection.

Mr. Speaker, thousands of hearts in his district which beat with pride at the mention of his name grew sad and desolate when his death was announced; and when on a cold December morning his remains were consigned to the grave the crowd of people who stood by poured from full hearts the rich tribute of their sorrow for a man whom they had so truly loved.

Address of Mr. Davis, of Missouri.

Mr. Speaker: In summing up the record of any public career it is of all things most gratifying to be able to say that it was an earnest and unselfish career; that its progress was marked by a single desire to elevate and bless the generation in which its lot was cast. And scarcely less gratifying is it to remember that amid the many and strong temptations to attain popularity and preferment which surround such a life they had never been purchased at the cost of dishonor; that the glittering allurements of popular favor or public distinction were impotent to swerve it from the clear line of right and duty. That these were the distinctive and distinguishing characteristics of him whose loss we mourn, all hearts will attest. I claim not for him a soaring genius, formed to blaze with meteoric splendor through the intellectual firmament of his age; but I am satisfied to believe him the author of many a noble deed whose luster shall stream through eternity. It is not my desire to rest his claims to our consideration on the greatness of his talents, for I remember that the best and most enduring work of this world is its heartwork; and I risk nothing when I assert that it is to modest talent, well directed, rather than to brilliant genius, that mankind is indebted for its substantial benefits. It is the great middle class of patient, faithful plodders (men who in their sphere, however lowly or obscure, do their work noiselessly and conscientiously), whose hands reap for us the golden harvest of human blessings. It is such as these that give character to an age and infuse vitality into the influences that mold the epochs of history.

In this category of noble workmen I prefer to class our departed friend. To many he was known as a man of generous impulses, warm-hearted and steadfast in friendship. To all he was known as a man faithful to his trusts, vigilant in the discharge of every duty, ambitious only for the triumph of the right, never seeking or desiring

a victory that could not be won with honor and retained with dignity.

As a member of the vast rank and file of enlightened American citizens he knew the needs and sympathized with the heart-beats of the masses. Ever keenly alive to their highest interests he saw intuitively and resisted with all the power of his large heart and clear brain any attempt to imperil the freedom or impair the rights of his countrymen. And the force of his sterling manhood rose up instinctively but unostentatiously and stood like a wall between their interests and every baleful influence that threatened to assail them. And in all this broad land which freemen tread, liberty, truth, and justice found no more steadfast and uncompromising champion.

Generous, humane, and gentle by nature, he was intolerant only of that which no true man should tolerate. Conscientious, pure in heart, of spotless integrity, and firmly grounded in Christian faith, his life was a triumphant vindication of human nature when directed by intelligence, wisdom, and virtue.

When some men die—when most men die, we are constrained to offset the evil they did by the good we know of them; we hasten, in a Christian spirit, to forget that which it is painful or ungenerous to remember; but we have no need to invoke the shadows of oblivion to fall on any of the paths *his* footsteps trod.

He has gone from among us. We desire to honor his memory. Can we better accomplish this desire than by striving to imitate his high example, to the end that the world shall not be a loser by his departure? A noble determination to emulate his character is the best conceivable method of perpetuating the memory of him we so reverently cherish.

The resolutions submitted by Mr. CLARK, of Missouri, were unanimously adopted; and in obedience to the concluding resolution, the House adjourned.

PROCEEDINGS IN THE SENATE.

DECEMBER 8, 1879.

A message from the House of Representatives, by Mr. GEORGE M. ADAMS, its Clerk, announced that the House had passed resolutions upon the announcement in that body of the death of Hon. ALFRED M. LAY, late a Representative from the State of Missouri.

The message also announced that the House had passed a concurrent resolution providing for the appointment of a special joint committee of seven members of the House of Representatives and three Senators, to take order for superintending the funeral and to escort the remains of the deceased to his late residence in Missouri, and that the Speaker had appointed as such committee on the part of the House Mr. JOHN B. CLARK, Jr., of Missouri; Mr. WILLIAM A. J. SPARKS, of Illinois; Mr. W. D. HILL, of Ohio; Mr. EDWARD OVERTON, Jr., of Pennsylvania; Mr. J. R. CHALMERS, of Mississippi; Mr. G. L. FORT, of Illinois; and Mr. R. G. FROST, of Missouri.

Mr. VEST. Mr. President, I move that the Senate now proceed to the consideration of the resolutions received from the House of Representatives announcing the death of Hon. ALFRED M. LAY.

The VICE-PRESIDENT. The resolutions will be laid before the Senate.

The resolutions of the House of Representatives were read by the Chief Clerk, as follows:

Resolved, That the House has heard with sincere regret the announcement of the death of Hon. ALFRED M. LAY, late a Representative from the State of Missouri.

Resolved by the House of Representatives, (the Senate concurring), That a special joint committee of seven Members and three Senators be appointed to take order for superintending the funeral and to escort the remains of the deceased to his late residence in Missouri; and the necessary expense attending the execution of this order shall be paid out of the contingent fund of the House.

Resolved, That the Clerk communicate the foregoing resolutions to the Senate.

Resolved, That, as a mark of respect to the memory of the deceased, this House do now adjourn.

The VICE-PRESIDENT. The question is on concurring in the resolution of the House for the appointment of a joint committee.

The resolution was concurred in; and the Vice-President appointed as the committee on the part of the Senate Mr. VEST, Mr. WALKER, and Mr. KIRKWOOD.

Mr. VEST. Mr. President, I move that the Senate do now adjourn.

The motion was agreed to; and the Senate adjourned.

FEBRUARY 24, 1880.

A message from the House of Representatives communicated to the Senate the intelligence of the death of Hon. A. M. LAY, late a member of the House from the State of Missouri, and transmitted the resolutions of the House thereon.

Mr. COCKRELL. I ask that the resolutions of the House of Representatives in regard to the death of Hon. ALFRED M. LAY be taken from the Secretary's desk and presented to the Senate for suitable action.

The VICE-PRESIDENT laid before the Senate the following resolutions from the House of Representatives; which were read:

IN THE HOUSE OF REPRESENTATIVES, *February* 23, 1880.

Resolved, That this House has heard with profound regret of the death of Hon. ALFRED M. LAY, late a member of this House from the State of Missouri.

Resolved, That as a testimonial of respect to his memory the officers and members of this body will wear the usual badge of mourning for the space of thirty days.

Resolved, That a copy of these resolutions be transmitted by the Clerk of this House to the family of the deceased.

Resolved, That the Clerk be directed to communicate a copy of these proceedings to the Senate, and that, as a further mark of respect to the memory of the deceased, the House do now adjourn.

Attest:

GEO. M. ADAMS, *Clerk*,
By GREEN ADAMS, *Chief Clerk*.

Mr. COCKRELL. Mr. President, I offer a resolution which I send to the desk.

The resolution was read, as follows:

Resolved, That the Senate has received with profound sorrow the announcement of the death of Hon. ALFRED MORRISON LAY, late a member of the House of Representatives from the State of Missouri.

Address of Mr. Cockrell, of Missouri.

Mr. President: Alfred Morrison Lay was born May 20, 1836, in Lewis County, Missouri, and in 1842 removed with his parents to Benton County. He received his early education in private schools, and then entered Bethany College, Virginia, from which he graduated in 1856. He then entered upon the study of law in Jefferson City, Missouri, and was there admitted to the bar in 1857. He was soon afterward appointed by President Buchanan United States attorney for the western district of Missouri.

He resigned this office in 1861, and soon thereafter enlisted as a private soldier in the division of General John B. Clark, a part of the military organization in Missouri known as the Missouri State Guard, and rose to the rank of major. He was subsequently captured by the Federal forces and held as a prisoner of war until some time in 1862, when he was duly exchanged and entered the Confederate army, in which he served to the close of the war.

He then returned to his home in Jefferson City, and formed a partnership in the practice of law with Hon. J. Ed. Belch, the speaker of the last house of representatives of Missouri. In 1875 he was elected in his senatorial district a member of the constitutional convention convened in that year. On July 25, 1878, he received the nomination for Congress in the seventh district from the Democratic Congressional convention convened at Boonville, and immediately began an active canvass.

On October 19, while speaking at Otterville, he was suddenly stricken with paralysis, and for weeks remained in a very critical condition. He was elected by a decided majority a member of the Forty-sixth Congress, and, though very feeble, attended the opening

of the first or called session of the Forty-sixth Congress in March, 1879, but was soon compelled to return home. He was again punctually at the post of duty at the beginning of the present session in December last, with seemingly a fair hope of recovery.

On Sunday, December 7, in company with his devoted Christian wife, he attended church in this city, and about nine o'clock in the evening expressed himself to friends as very hopeful and of feeling unusually well. Soon after retiring he was again stricken with the fatal disease which terminated his earthly existence about ten o'clock on the morning of December 8. His remains were escorted by committees of the House and Senate to his home in Jefferson City, and there interred in the cemetery, attended by relatives, neighbors, and friends, deeply mourning his death and condoling with his bereft wife and children.

An honored Representative of the good people of the seventh Congressional district of Missouri in the Congress of the United States, at his post of duty and honor, has been taken by death from us, his colleagues and associates. In expressing our regard for the deceased and paying a fitting tribute to his memory, according to our custom, I shall not indulge in mere fulsome declamation and unmerited praise. I personally knew Major LAY from 1862 to his death, and was often thrown in business and social relations with him. We were personal friends. I knew him in all the relations of life. As has been said of another, so I can truthfully say of him:

> So his life has flow'd
> From its mysterious urn a *sacred stream*,
> In whose calm depth the beautiful and pure
> Alone are mirror'd; which, though shapes of ill
> May hover round its surface, glides in light,
> And takes no shadow from them.

Mr. LAY was the true gentleman. He was courteous in his bearing, gentle and kind in his disposition, conscientious in his convictions, and firm in his principles. As a friend he was candid, sincere,

generous, and warm-hearted. As an opponent he was just, fair, and honorable. He never sought his own promotion by defaming those opposed to him, personally or politically. In 1874 he was a candidate for the nomination for Congress and was defeated. In 1876 he was again a candidate and defeated. In 1878 he was successful, after a heated contest. In all these contests he enjoyed the regard and friendship of his competitors, and never lost the confidence of his constituents. He relied for success upon his own character and merits. In the profession of law he was regarded an able lawyer, an effective advocate, and a safe counselor. As a father he was gentle and affectionate. As a husband he was tender, devoted, and faithful. In the discharge of all duties he was diligent, laborious, and conscientious. As a citizen and an officer, a servant of the people, he was faithful, honest, incorruptible. In the convention which gave the present constitution to Missouri he was a useful and an honored member. On account of his physical condition and short term of service in Congress, no opportunity was afforded for the development of that career of usefulness to his country and honor to himself so confidently anticipated by his friends and constituents.

Prior to his paralysis Mr. LAY had a robust physical constitution capable of great endurance and labor.

When he received the nomination for Congress in 1878 his election was assured; he was in his forty-third year, in the prime and vigor of manhood, and enjoyed the respect and confidence of the people of his district and State. His life was full of promise. While delivering a speech to his constituents—suddenly, without a moment's warning, he was stricken down by that fatal disease which terminated in his death. Truly

> Death rides on every passing breeze,
> He lurks in every flower.

We have divine authority for saying, "No man dieth to himself." Equally true is it, Mr. President, that "none of us liveth to himself."

The life of our departed friend and colleague was one of the many millions cast upon the bosom of Time on earth as the pebble is cast upon the bosom of the ocean, which has caused waves of influence to rise and spread which will continue until they strike the farthest shores of eternity.

He has left to his widow, children, and countrymen a priceless legacy—a spotless character.

Address of Mr. Kirkwood, of Iowa.

Mr. President: I was not personally acquainted with the deceased Representative from Missouri, but having been a member of the committee appointed to escort his remains to his late residence in that State, and to attend his funeral there, I have thought it not inappropriate to take some part in the proceedings now being had here in honor of his memory.

The Senator from Missouri who has just spoken has spoken fully of Mr. Lay's record as a public man and of his standing as a citizen. My purpose is to speak very briefly, and from very limited means of knowledge, of what I learned of him from his neighbors and friends during my short stay among them while attending his funeral. There is, perhaps, no better means of judging of a man's real worth than by hearing what may be said of him after his death by those among whom he lived and moved in the daily and familiar intercourse of every-day life. Judging Mr. Lay in this way, and by this test, he was a good and true man. During my short stay in Jefferson City his name was necessarily on the lips of all who knew him, and from all who spoke of him in my hearing I heard only high praise of his character while living and deep regret for his loss. So far as I heard, all classes of his fellow-townsmen, the high and the lowly, the rich and the poor, the good and those not so good, spoke well of him as an honest, truthful, and brave man; as a kindly, genial, and generous man; as a good and helpful neighbor, and as a true and trusty friend.

ADDRESS OF MR. VEST, OF MISSOURI.

Mr. PRESIDENT: To simply state that I knew ALFRED M. LAY well would be gross injustice to the intimate friendship which existed between us for more than the quarter of a century. I knew him so thoroughly and loved him so much, for no shadow ever came between us, that in paying this tribute to his memory I shall avoid all mere decoration of words, and in the plain phrase of simple truth speak of him who

Loved and lived the truth so well.

ALFRED MORRISON LAY was born in Lewis County, Missouri, on the 20th day of May, 1836. In 1856 he graduated at Bethany College, Virginia, and commenced the study of law in the office of General James B. Gardenhire, then attorney-general of Missouri. Upon his admission to practice in 1857 he became General Gardenhire's partner, and in less than two years was appointed United States attorney for the western district of Missouri. This position he held until August, 1861, when a sense of duty, distinct and emphatic, caused him to resign and enter the Missouri State Guard, where he served with the rank of major. In the winter of 1861–'62 he was taken prisoner, but was exchanged in the fall of 1862, and remained in the Confederate service until the close of the war, being paroled at Vicksburgh in 1865.

Returning to Jefferson City, he resumed the practice of his profession, and in 1874 became a candidate for Congress in a contest certainly the most remarkable in the political history of Missouri, if not in that of the Union. For more than a week the nominating convention balloted between three candidates, Mr. LAY, Hon. T. T. Crittenden, and Hon. JOHN F. PHILIPS, and for six hundred and

ninety-one ballots Mr. LAY received the largest number of votes. Believing it his duty in the interest of his party and district to terminate the struggle, fast degenerating into a bitter personal contest, Mr. LAY then withdrew, and Colonel PHILIPS was nominated and elected.

In 1875 Mr. LAY was chosen, without opposition, a member of the constitutional convention of Missouri, and assisted in framing the State constitution now in force.

In 1876 he was again a candidate for Congress; but Colonel Crittenden received the nomination. And in 1878 the long and protracted struggle in the district terminated by the nomination of Mr. LAY over Colonel Crittenden.

Mr. President, in all political and even personal history I do not know a sadder page than that upon which is written the termination of the ensuing canvass and of a life's ambition. As the deceased had often told me, it was the dream of his boyhood to represent his native State in the National Congress. At last, after years of struggle, the hour came when his hand reached the prize, and even in that moment he was stricken down.

At one of his last appointments, and while addressing an audience, Mr. LAY was attacked by paralysis and fell almost insensible. Conveyed to his home, he partially recovered, but was an inactive spectator of the remainder of the canvass, which terminated in his election by a large majority.

Actuated by an earnest sense of duty and against medical advice, he attended the commencement of the extra session, but after a few days returned to the Hot Springs of Arkansas, to which he had repaired some weeks before. His health improving, he determined to attend this session, and we traveled together from Saint Louis. On that journey he talked to me often and earnestly of his condition and of his full preparation for any change. Although anxious for recovery, he well knew the insidious foe whose grasp had been relaxed but

not released, and he awaited the result, as he had every event of life, fearlessly and calmly. On the 7th day of December, 1879, it came. After retiring at the National Hotel, in this city, he was again attacked by paralysis, and died at half past ten o'clock the next day.

No life is perfect, but each has its aggregate of good or evil; and, aside from empty panegyric, this at last must be the question as each of us drifts out upon the shoreless ocean: "Was his life for good or evil; were its duties performed?"

Mr. President, standing in this high presence, I, who knew the dead intimately in peace and war, in sunshine and shadow, as citizen, soldier, husband, father, and friend, bear testimony before all the world that everywhere and at all times he was modest, firm, intelligent, earnest, and true.

As a lawyer Mr. LAY was singularly faithful, his skill and judgment unquestionable. Consistent and conscientious, as a citizen and in his private relations he was without reproach Other lives may have been more eventful, but never one of which it could be more truthfully said, "*It was devoted to duty.*"

Of my friend I have spoken as I knew him, and it only remains for me now, in the name of the State of Missouri, to place this offering on his grave.

I move the adoption of the resolution offered by my colleague.

The resolution was agreed to unanimously.

Mr. VEST. As a further mark of respect to the memory of the deceased, I move that the Senate do now adjourn.

The motion was agreed to, and the Senate adjourned.

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